



UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:) CASE NO. 05-44481
)
DELPHI CORP.) JUDGE DRAIN
)
DEBTOR.) MOTION FOR RECLAMATION
)

National Paper & Packaging Corp. ("National"), by and through its undersigned attorneys, for its Motion for Reclamation (the "Motion"), respectfully represents:

1. On or about October 8, 2005 Delphi Corp. and its affiliates (the "Debtor") filed its Chapter 11 petition in the United States Bankruptcy Court for the Southern District of New York and has continued as debtor in possession.
2. At various times from September 27, 2005 through and including October 7, 2005 the Debtor received from National certain product including, but not limited to, polypropylene bags, cohesive bubbles, plastic and resin products and tape described in certain electronic transaction corresponding to the invoice ledger attached hereto collectively as Exhibit A (the "Goods").¹
3. Attached hereto as Exhibits B and C are the invoices that support the entries on Exhibit A.²
4. National shipped the Goods to the Debtor on credit. The Debtor was insolvent at the time it received the Goods and has not paid National for the Goods.

¹ Exhibit A represents Goods received from National by the Debtor for September 27, 2005 through October 7, 2005. Exhibit A shows 108 invoice entries for shipments at issue as represented by Invoice Numbers 026000 through 031078. Although the Invoice Numbers are ascendant, they are not sequential.

² Exhibit B contains 104 invoices in ascendant order, and Exhibit C contains 4 invoices in ascendant order following those on Exhibit B.

5. On October 17, 2005 National made a written demand for reclamation pursuant to Section 546(c) of title 11 of the United States Code (the "Bankruptcy Code") (the "Reclamation Demand") with respect to the Goods. A copy of the Reclamation Demand is attached hereto as Exhibit D. On October 19, 2005 National supplemented its demand for reclamation as per Exhibit E attached hereto. As of the date hereof, the Debtor has not returned the Goods National or paid National for the Goods.

WHEREFORE, NATIONAL respectfully requests that this Court enter an Order:

1. Authorizing the reclamation of the Goods;
2. Enjoining the Debtor from selling any of the Goods in its possession until further Order of this Court;
3. Directing the Debtor to abandon, turn over and physically deliver the Goods in its possession and, to the extent that the Goods have been sold or otherwise disposed of, requiring the Debtor to turn over the proceeds of the Goods;
4. In the alternative, granting National an administrative claim as provided for in Section 546(c)(2) of the Bankruptcy Code in such an amount to adequately protect its interest in the Goods; and
5. Granting National such other and further relief as is just and proper.

Dated: October 19, 2005

Respectfully submitted:

/s/Thomas C. Pavlik, Esq.
THOMAS C. PAVLIK (0017305)
SCOTT H. SCHARF (0046693)
Novak, Robenalt, Pavlik & Scharf, LLP
Skylight Office Tower #270
1660 West Second Street
Cleveland, Ohio 44113
(216) 781-8700
Attorneys for National Paper & Packaging Corp.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 19, 2005 the foregoing *Motion for Reclamation* was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Thomas C. Pavlik, Esq.
Attorneys for National Paper & Packaging Corp.